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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/516,618 Confirmation No. 7130
Applicant(s) : Andreas Bergmann
Filed : December 3, 2004
Tech Cntr/AU : (unassigned)
Examiner : (unassigned)
Entitled : Methods for Diagnosing Sepsis by Determining
Anti-Asialoganglioside Antibodies
Attorney Reference : 121778-04353754
Customer Number : 43569

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Pursuant to 37 CFR §1.97 and 1.56, the attention of the U.S. Patent and Trademark Office is hereby directed to the following disclosures made herein, which include:

REFERENCES AND RELEVANCY

- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are any readily available full or partial English translations of any non-English language documents.
- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited for consideration in the parent application, and, pursuant to 37 CFR 1.98(d), copies of the cited references can be found in the file of the parent application (U.S. Serial No. , filed).
- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in the International Search Report issued for the corresponding International application, and copies of the International Search Report and the cited references are attached for the Examiner's consideration.
- Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in a communication from a foreign or international patent office in a counterpart foreign or international application(s), and copies of both the relevant communication and the cited references, where required, are attached for the Examiner's consideration.

CERTIFICATION

The undersigned certifies that, pursuant to 37 CFR §1.97(e)(1),

each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application not more than three months prior to the filing of this Statement.

RELATED CASES

Identified in the attached Appendix are related applications directed to related technical subject matter. Copies of the related applications, where required, are attached for the Examiner's consideration. *The identification of the related U.S. patent applications is not to be construed as a waiver of secrecy for those applications, now or upon issuance of the present application as a patent.*

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

within three months of the filing date of the application and/or before the mailing date of a first Official Action on the merits, and no fee is required [37 C.F.R. §1.97(b)].

with the appropriate certification, and no fee is required [37 C.F.R. §1.97(e)(1)].

after the mailing date of the first Official Action on the merits, but prior to the issuance of a Final Official Action or a Notice of Allowance, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(c)].

after the mailing date of the Final Official Action or Notice of Allowance, but prior to the payment of the issue fee, the requisite certification under 37 CFR §1.97(e)(1) is made herein, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(d)].

with a Request for Continued Examination (RCE), and no fee is required [37 C.F.R. §1.97(b)(4)].

FEE AUTHORIZATION

Authorization is hereby given to charge any deficient fee(s) under 37 CFR §1.16 and §1.17 as necessary to ensure the consideration of this disclosure, or to credit any fee overpayments, to Deposit Account No. 503-121.

Authorization is hereby given to charge the requisite fee of \$180 (Fee Code 1806) for submission of this Information Disclosure Statement to Deposit Account No. 503-121.

It is respectfully requested that this information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Examiner is further respectfully requested to return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column.

The examination and allowance of this Application is respectfully requested.

Respectfully Submitted,

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Date: May 25, 2005
Attachment(s): PTO Form 1449
International Search Report
Cited References

**INFORMATION DISCLOSURE STATEMENT
 BY APPLICANT**

Date: May 25, 2005

Page 1 of 2

Attorney Reference: 121778-04353754

Applicant: Andreas Bergmann

Application Serial No. 10/516,618

Filing Date: December 3, 2004

Examiner: (unassigned) Group Art Unit: (unassigned)

U.S. PATENT DOCUMENTS

| Examiner's Initials* | | Document Number | Date MM/YYYY | Name (Family Name of First Inventor) | Class | Sub Class | Filing Date (if appropriate) |
|----------------------|----|-----------------|--------------|--------------------------------------|-------|-----------|------------------------------|
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| | | | | | Enclosed | No | Enclosed | No |
| | DR | WO 00/22439 | 04/2000 | International | | | | |
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| | MR | Reinhart, K. et al., "Sepsis und septischer Schock," <i>Intensivmedizin</i> , Georg Thieme Verlag, Stuttgart (2001) pp. 756-760. |
| | NR | Beishuizen, A. et al., "Endogenous Mediators in Sepsis and Septic Shock," <i>Advances in Clinical Chemistry</i> , vol. 33, 1998, pp. 55-131. |
| | OR | Gabay, C. et al., "Acute-Phase Proteins and Other Systemic Responses to Inflammation," <i>The New England Journal of Medicine</i> , vol. 340, no. 6, 2/11/1999, pp. 448-454 |
| | PR | Assicot, M. et al., "High serum procalcitonin concentrations in patients with sepsis and infection," <i>The Lancet</i> , vol. 341, 2/27/1993, pp. 515-518 |
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| | SR | Redl, H. et al., "Procalcitonin release patterns in a baboon model of trauma and sepsis: Relationship to cytokines and neopterin," <i>Crit Care Med</i> , vol. 28, no. 11, 2000, pp. 3659-3663. |
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| | UR | Panacek, E.A., "Anti-TNF strategies," <i>Journal für Anästhesie und Intensivbehandlung</i> , 2/2001, pp. 4-5. |
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| | WR | Garber, K., "Protein C may be sepsis solution," <i>Nature Biotechnology</i> , vol. 18, 9/2000, pp. 917-918. |

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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Application Serial No. 10/516,618

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Examiner: (unassigned) Group Art Unit: (unassigned)

Date: May 25, 2005

Page 2 of 2

U.S. PATENT DOCUMENTS

| Examiner's Initials* | Document Number | Date MM/YYYY | Name (Family Name of First Inventor) | Class | Sub Class | Filing Date (if appropriate) |
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| XR | | | | | | |
| YR | | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document Number | Date MM/YYYY | Country | Translation Readily Available | | English Abstract | |
|-----|-----------------|--------------|---------|-------------------------------|----|------------------|----|
| | | | | Enclosed | No | Enclosed | No |
| ZR | | | | | | | |
| AAR | | | | | | | |

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| HHR | Pross, H. et al., "Role of Natural Killer Cells in Cancer," <i>Nat Immun</i> , vol. 12, 1993, pp. 279-292. |
| IIR | Lanier, L. et al., "Arousal and inhibition of human NK cells," <i>Immunological Reviews</i> , vol. 155, 1997, pp. 145-154. |
| JJR | Fujii, Y. et al., "IgG Antibodies to AsialoGM1 Are More Sensitive than IgM Antibodies to Kill <i>in vivo</i> Natural Killer Cells and Prematured Cytotoxic T Lymphocytes of Mouse Spleen," <i>Microbiol. Immunol.</i> , vol. 34, no. 6, 1990, pp. 533-542. |
| KKR | Saijo, N. et al., "Analysis of Metastatic Spread and Growth of Tumor Cells in Mice with Depressed Natural Killer Activity by Anti-asialo GM1 Antibody or Anticancer Agents," <i>Cancer Research Clinical Oncology</i> , vol. 107, 1984, pp. 157-163. |
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| NNR | Whiteside, T. et al., "The role of natural killer cells in immune surveillance of cancer," <i>Current Opinion in Immunology</i> , vol. 7, 1995, pp. 704-710. |
| OOR | Timonen, T. et al., "Natural killer cell-target cell interactions," <i>Current Opinion in Cell Biology</i> , vol. 9, 1997, pp. 667-673. |
| PPR | International Search Report from PCT/EP03/03449 mailed 6/25/03 |

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.